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CASREF,ECF

**U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:23-cv-11053-GHW-JW**

Trisura Insurance Company v. Bighorn Construction and
Reclamation, LLC et al
Assigned to: Judge Gregory H. Woods
Referred to: Magistrate Judge Jennifer E. Willis
Demand: \$75,000
Cause: 28:1332 Diversity Action

Date Filed: 12/20/2023
Jury Demand: None
Nature of Suit: 110 Insurance
Jurisdiction: Diversity

Plaintiff**Trisura Insurance Company**

represented by **Dennis O'Neil Cowling**
McElroy, Deutsch, Mulvaney & Carpenter,
LLP (NY)
225 Liberty Street
New York, NY 10281
212 483 9490
Fax: 212 483 9129
Email: dcowling@mdmc-law.com
ATTORNEY TO BE NOTICED

V.

Defendant**Bighorn Construction and Reclamation,
LLC****Defendant****Bighorn Investments and Properties,
LLC****Defendant****Bighorn Sand & Gravel LLC****Defendant****Bridgelink Commodities LLC****Defendant****Bridgelink Engineering LLC****Defendant****Bridgelink Investments, LLC****Defendant**

**Bridgelink Renewable Energy
Development LLC**

Defendant

**Bridgelink Renewable Energy
Investments LLC**

Defendant

Intermountain Electric Service, Inc.

Defendant

Cole Wayne Johnson

Defendant

Cord Henry Johnson

Defendant

Cassie Hamilton

Date Filed	#	Docket Text
12/20/2023	<u>1</u>	FILING ERROR - DEFICIENT PLEADING - SIGNATURE ERROR - COMPLAINT against Bighorn Construction and Reclamation, LLC, Bighorn Investments and Properties, LLC, Bighorn Sand & Gravel LLC, Bridgelink Commodities LLC, Bridgelink Engineering LLC, Bridgelink Investments, LLC, Bridgelink Renewable Energy Development LLC, Bridgelink Renewable Energy Investments LLC, Cassie Hamilton, Intermountain Electric Service, Inc., Cole Wayne Johnson, Cord Henry Johnson. (Filing Fee \$ 405.00, Receipt Number ANYSDC-28723009) Document filed by Trisura Insurance Company. (Attachments: # <u>1</u> Exhibit Exhibit A: Indemnity Agreement in favor of Plaintiff, # <u>2</u> Exhibit Exhibit B-1: Bonds, Performance and Payment, TIC01702, # <u>3</u> Exhibit Exhibit B-2: Rider No. 1 to Bonds TIC01702, # <u>4</u> Exhibit Exhibit C: Collateral Demand Letter to Defendants).(Cowling, Dennis) Modified on 12/22/2023 (vf). (Entered: 12/20/2023)
12/20/2023	<u>2</u>	REQUEST FOR ISSUANCE OF SUMMONS as to Bighorn Construction and Reclamation, LLC; Bighorn Investments and Properties, LLC; Bighorn Sand & Gravel LLC; Bridgelink Commodities LLC; Bridgelink Engineering LLC; Bridgelink Investments, LLC; Bridgelink Renewable Energy Development LLC; Bridgelink Renewable Energy Investments LLC; Intermountain Electric Service, Inc.; Cole Wayne Johnson; Cord Henry Johnson; Cassie Hamilton,, re: <u>1</u> Complaint,,,. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 12/20/2023)
12/22/2023		***NOTICE TO ATTORNEY TO ELECTRONICALLY FILE CIVIL COVER SHEET. Notice to Attorney Dennis O'Neil Cowling. Attorney must electronically file the Civil Cover Sheet. Use the event type Civil Cover Sheet found under the event list Other Documents. (vf) (Entered: 12/22/2023)
12/22/2023		***NOTICE TO ATTORNEY REGARDING DEFICIENT PLEADING. Notice to Attorney Dennis O'Neil Cowling to RE-FILE Document No. <u>1</u> Complaint. The filing is deficient for the following reason(s): the pleading was not signed. Re-file the pleading using the event type Complaint found under the event list Complaints and Other Initiating Documents - attach the correct signed PDF - select the individually named filer/filers - select the individually named party/parties the pleading is against. (vf) (Entered: 12/22/2023)

12/22/2023		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above-entitled action is assigned to Judge Gregory H. Woods. Please download and review the Individual Practices of the assigned District Judge, located at https://nysd.uscourts.gov/judges/district-judges . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at https://nysd.uscourts.gov/rules/ecf-related-instructions ..(vf) (Entered: 12/22/2023)
12/22/2023		Magistrate Judge Jennifer Willis is designated to handle matters that may be referred in this case. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: https://nysd.uscourts.gov/sites/default/files/2018-06/AO-3.pdf . (vf) (Entered: 12/22/2023)
12/22/2023		Case Designated ECF. (vf) (Entered: 12/22/2023)
12/22/2023	3	ELECTRONIC SUMMONS ISSUED as to Bighorn Construction and Reclamation, LLC, Bighorn Investments and Properties, LLC, Bighorn Sand & Gravel LLC, Bridgelink Commodities LLC, Bridgelink Engineering LLC, Bridgelink Investments, LLC, Bridgelink Renewable Energy Development LLC, Bridgelink Renewable Energy Investments LLC, Cassie Hamilton, Intermountain Electric Service, Inc., Cole Wayne Johnson, Cord Henry Johnson. (vf) (Entered: 12/22/2023)
12/22/2023	4	CIVIL COVER SHEET filed..(Cowling, Dennis) (Entered: 12/22/2023)
12/22/2023	5	COMPLAINT against Bighorn Construction and Reclamation, LLC, Bighorn Investments and Properties, LLC, Bighorn Sand & Gravel LLC, Bridgelink Commodities LLC, Bridgelink Engineering LLC, Bridgelink Investments, LLC, Bridgelink Renewable Energy Development LLC, Bridgelink Renewable Energy Investments LLC, Cassie Hamilton, Intermountain Electric Service, Inc., Cole Wayne Johnson, Cord Henry Johnson. Document filed by Trisura Insurance Company. (Attachments: # 1 Exhibit A: Indemnity Agreement in favor of Plaintiff, # 2 Exhibit B-1: Bonds, Performance and Payment, TIC01702, # 3 Exhibit B-2: Rider No. 1 to Bonds TIC01702, # 4 Exhibit Exhibit C: Collateral Demand Letter to Defendants).(Cowling, Dennis) (Entered: 12/22/2023)
12/23/2023	6	FILING ERROR - DEFICIENT DOCKET ENTRY - MISSING DIVERSITY INFORMATION - RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Trisura U.S. Holding Company, Corporate Parent Trisura Group Ltd. for Trisura Insurance Company. Document filed by Trisura Insurance Company..(Cowling, Dennis) Modified on 12/26/2023 (kw). (Entered: 12/23/2023)
12/26/2023	7	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for General Pretrial (includes scheduling, discovery, non-dispositive pretrial motions, and settlement) and Dispositive Motion (i.e., motion requiring a Report and Recommendation). All such motions. Referred to Magistrate Judge Jennifer E. Willis. SO ORDERED. (Signed by Judge Gregory H. Woods on 12/26/2023) (jca) (Entered: 12/26/2023)
12/26/2023		***NOTICE TO ATTORNEY REGARDING DEFICIENT RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Notice to Attorney Dennis O'Neil Cowling to RE-FILE Document No. 6 Rule 7.1 Corporate Disclosure Statement,. The filing is deficient for the following reason(s): the jurisdiction of this action is based on diversity - the party/intervenor did not name and identify the citizenship of every individual or entity whose citizenship is attributed to that party or intervenor. Re-file the document using the event type Rule 7.1 Corporate Disclosure Statement found under the event list Other Documents - select the correct filer/filers - attach the correct signed PDF - when prompted with the message "Are there any corporate parents or other

		affiliates?", select the Yes or No radio button - If Yes - enter the corporate parent/other affiliate, click the Search button - select the correct corporate parent/other affiliate name from the search results list or if no person found, create a new corporate parent/other affiliate - select the party to whom the corporate parent/other affiliate should be linked - add corporate parent/other affiliate names one at a time - name and identify the citizenship of every individual or entity whose citizenship is attributed to that party or intervenor. (kw) (Entered: 12/26/2023)
12/28/2023	8	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Trisura Group Ltd., Corporate Parent Trisura (US) Holding Company for Trisura Insurance Company. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 12/28/2023)
01/10/2024	9	AMENDED COMPLAINT amending 5 Complaint,, against Bighorn Construction and Reclamation, LLC, Bighorn Investments and Properties, LLC, Bighorn Sand & Gravel LLC, Bridgelink Commodities LLC, Bridgelink Engineering LLC, Bridgelink Investments, LLC, Bridgelink Renewable Energy Development LLC, Bridgelink Renewable Energy Investments LLC, Cassie Hamilton, Intermountain Electric Service, Inc., Cole Wayne Johnson, Cord Henry Johnson.Document filed by Trisura Insurance Company. Related document: 5 Complaint,, (Attachments: # 1 Exhibit A: Indemnity Agreement in favor of Plaintiff, # 2 Exhibit B-1: Bonds, Performance and Payment, TIC01702, # 3 Exhibit B-2: Rider No. 1 to Bonds TIC01702, # 4 Exhibit C: Collateral Demand Letter to Defendants).(Cowling, Dennis) (Entered: 01/10/2024)
01/10/2024	10	AMENDED RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Trisura Group Ltd., Corporate Parent Trisura (US) Holding Company for Trisura Insurance Company. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 01/10/2024)
02/22/2024	11	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Bighorn Construction and Reclamation, LLC served on 1/25/2024, answer due 2/15/2024. Service was accepted by Cynthia Jackson of URS Agents, LLC, Registered Agent. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/22/2024)
02/22/2024	12	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Bighorn Investments and Properties, LLC served on 1/25/2024, answer due 2/15/2024. Service was accepted by Cynthia Jackson of URS Agents, LLC, Registered Agent. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/22/2024)
02/22/2024	13	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Intermountain Electric Service, Inc. served on 2/6/2024, answer due 2/27/2024. Service was accepted by Isaiah Rose of Corporation Service Company, Assistant of Authorized Registered Agent to accept service of process. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/22/2024)
02/23/2024	14	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Bighorn Sand & Gravel LLC served on 1/12/2024, answer due 2/2/2024. Service was accepted by Heather Stewart, Corporate Specialist, URS Agents LLC, Delaware, authorized to accept service on Defendant's behalf. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/23/2024)
02/23/2024	15	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Service was accepted by Janice Brown, Agent for URS Agents LLC, Texas, authorized to accept service on Defendant's behalf. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/23/2024)
02/23/2024	16	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Bridgelink Commodities LLC served on 1/12/2024, answer due 2/2/2024. Service was accepted by

		Heather Stewart, Corporate Specialist, URS Agents LLC, Delaware, authorized to accept service on Defendant's behalf. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/23/2024)
02/23/2024	<u>17</u>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Service was accepted by Janice Brown, Agent for URS Agents LLC, Texas, authorized to accept service on Defendant's behalf. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/23/2024)
02/23/2024	<u>18</u>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Bridgelink Engineering LLC served on 1/12/2024, answer due 2/2/2024. Service was accepted by Heather Stewart, Corporate Specialist, URS Agents LLC, Delaware, authorized to accept service on Defendant's behalf. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/23/2024)
02/23/2024	<u>19</u>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Bridgelink Investments, LLC served on 1/12/2024, answer due 2/2/2024. Service was accepted by Janice Brown, Agent for URS Agents LLC, Texas, authorized to accept service on Defendant's behalf. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/23/2024)
02/23/2024	<u>20</u>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Bridgelink Renewable Energy Development LLC served on 1/12/2024, answer due 2/2/2024. Service was accepted by Heather Stewart, Corporate Specialist, URS Agents LLC, Delaware, authorized to accept service on Defendant's behalf. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/23/2024)
02/23/2024	<u>21</u>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Service was accepted by Janice Brown, Agent for URS Agents LLC, Texas, authorized to accept service on Defendant's behalf. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/23/2024)
02/23/2024	<u>22</u>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Bridgelink Renewable Energy Investments LLC served on 1/12/2024, answer due 2/2/2024. Service was accepted by Heather Stewart, Corporate Specialist, URS Agents LLC, Delaware, authorized to accept service on Defendant's behalf. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/23/2024)
02/23/2024	<u>23</u>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Service was accepted by Janice Brown, Agent for URS Agents LLC, Texas, authorized to accept service on Defendant's behalf. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/23/2024)
02/23/2024	<u>24</u>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Cord Henry Johnson served on 1/16/2024, answer due 2/6/2024. Service was accepted by Cord Henry Johnson, Defendant individual. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/23/2024)
02/23/2024	<u>25</u>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Cassie Hamilton served on 1/16/2024, answer due 2/6/2024. Service was accepted by Cord Henry Johnson, Husband of Cassie Hamilton, Defendant being served, a person of suitable age and discretion at their actual dwelling house usual place of abode in Texas. Service was made by also made by an additional mailing to Cassie Hamilton at her actual place of residence as indicated. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/23/2024)
02/29/2024	<u>26</u>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Service was accepted by Cord Henry Johnson, Husband of Cassie Hamilton, Defendant being served, a person of

		suitable age and discretion at their actual dwelling house usual place of abode in Texas. Service was made by also mailing an additional copy of same to Cassie Hamilton at her actual place of residence as indicated. Document filed by Trisura Insurance Company.. (Cowling, Dennis) (Entered: 02/29/2024)
02/29/2024	<u>27</u>	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,,. Service was accepted by Janice Brown, Agent for URS Agents LLC, Texas, authorized to accept service on Defendant's behalf. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/29/2024)
02/29/2024	<u>28</u>	PROPOSED CLERK'S CERTIFICATE OF DEFAULT. Document filed by Trisura Insurance Company..(Cowling, Dennis) Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers). Modified on 2/29/2024 (km). (Entered: 02/29/2024)
02/29/2024	<u>29</u>	PROPOSED CLERK'S CERTIFICATE OF DEFAULT. Document filed by Trisura Insurance Company..(Cowling, Dennis) Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers). Modified on 2/29/2024 (km). (Entered: 02/29/2024)
02/29/2024	<u>30</u>	PROPOSED CLERK'S CERTIFICATE OF DEFAULT. Document filed by Trisura Insurance Company..(Cowling, Dennis) Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers). Modified on 2/29/2024 (km). (Entered: 02/29/2024)
02/29/2024	<u>31</u>	PROPOSED CLERK'S CERTIFICATE OF DEFAULT. Document filed by Trisura Insurance Company..(Cowling, Dennis) Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers). Modified on 2/29/2024 (km). (Entered: 02/29/2024)
02/29/2024	<u>32</u>	PROPOSED CLERK'S CERTIFICATE OF DEFAULT. Document filed by Trisura Insurance Company..(Cowling, Dennis) Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers). Modified on 2/29/2024 (km). (Entered: 02/29/2024)
02/29/2024	<u>33</u>	PROPOSED CLERK'S CERTIFICATE OF DEFAULT. Document filed by Trisura Insurance Company..(Cowling, Dennis) Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers). Modified on 2/29/2024 (km). (Entered: 02/29/2024)
02/29/2024	<u>34</u>	PROPOSED CLERK'S CERTIFICATE OF DEFAULT. Document filed by Trisura Insurance Company..(Cowling, Dennis) Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers). Modified on 2/29/2024 (km). (Entered: 02/29/2024)
02/29/2024	<u>35</u>	PROPOSED CLERK'S CERTIFICATE OF DEFAULT. Document filed by Trisura Insurance Company..(Cowling, Dennis) Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers). Modified on 2/29/2024 (km). (Entered: 02/29/2024)
02/29/2024	<u>36</u>	PROPOSED CLERK'S CERTIFICATE OF DEFAULT. Document filed by Trisura Insurance Company..(Cowling, Dennis) Proposed document to be reviewed and processed by Clerk's Office staff (No action required by chambers). Modified on 2/29/2024 (km). (Entered: 02/29/2024)
02/29/2024	<u>37</u>	PROPOSED CLERK'S CERTIFICATE OF DEFAULT. Document filed by Trisura Insurance Company..(Cowling, Dennis) Proposed document to be reviewed and

		processed by Clerk's Office staff (No action required by chambers). Modified on 2/29/2024 (km). (Entered: 02/29/2024)
02/29/2024	38	AFFIRMATION of Dennis O'Neil Cowling in Support re: 35 Proposed Clerk's Certificate of Default, 30 Proposed Clerk's Certificate of Default, 33 Proposed Clerk's Certificate of Default, 36 Proposed Clerk's Certificate of Default, 31 Proposed Clerk's Certificate of Default, 32 Proposed Clerk's Certificate of Default, 37 Proposed Clerk's Certificate of Default, 34 Proposed Clerk's Certificate of Default, 29 Proposed Clerk's Certificate of Default, 28 Proposed Clerk's Certificate of Default. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 02/29/2024)
02/29/2024	39	CLERK'S CERTIFICATE OF DEFAULT as to Bighorn Construction and Reclamation, LLC.(km) (Entered: 02/29/2024)
02/29/2024	40	CLERK'S CERTIFICATE OF DEFAULT as to Bighorn Investments and Properties, LLC. (km) (Entered: 02/29/2024)
02/29/2024	41	CLERK'S CERTIFICATE OF DEFAULT as to Bighorn Sand & Gravel, LLC.(km) (Entered: 02/29/2024)
02/29/2024	42	CLERK'S CERTIFICATE OF DEFAULT as to Bridgelink Commodities LLC.(km) (Entered: 02/29/2024)
02/29/2024	43	CLERK'S CERTIFICATE OF DEFAULT as to Bridgelink Engineering LLC.(km) (Entered: 02/29/2024)
02/29/2024	44	CLERK'S CERTIFICATE OF DEFAULT as to Bridgelink Investments, LLC.(km) (Entered: 02/29/2024)
02/29/2024	45	CLERK'S CERTIFICATE OF DEFAULT as to Bridgelink Renewable Energy Development LLC.(km) (Entered: 02/29/2024)
02/29/2024	46	CLERK'S CERTIFICATE OF DEFAULT as to Bridgelink Renewable Energy Investments LLC.(km) (Entered: 02/29/2024)
02/29/2024	47	CLERK'S CERTIFICATE OF DEFAULT as to Cassie Hamilton.(km) (Entered: 02/29/2024)
02/29/2024	48	CLERK'S CERTIFICATE OF DEFAULT as to Cord Henry Johnson.(km) (Entered: 02/29/2024)
03/09/2024	49	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Intermountain Electric Service, Inc. served on 2/28/2024, answer due 3/20/2024. Service was accepted by A. Manzanitas, Receptionist, Front Desk of Corporation Service Company, authorized Registered Agent authorized to accept service of process on Intermountain Electric Service, Inc. Service was made by Federal Express personal delivery to A. Manzanitas of Corporation Service Company. Document filed by Trisura Insurance Company. (Attachments: # 1 Exhibit Exhibit 1: Fed Ex Transaction Record, # 2 Exhibit Exhibit 2: Cover Letter to CSC, # 3 Exhibit Exhibit 2-A: Wyoming Sec. of State Filing Record, # 4 Exhibit Exhibit 2-B: Summons & Amended Complaint served, # 5 Exhibit Exhibit 3: Proof of Fed Ex delivery, # 6 Exhibit Exhibit 4: Earlier Service on CSC, # 7 Exhibit Exhibit 5: Earlier CSC Response to Service).(Cowling, Dennis) (Entered: 03/09/2024)
03/12/2024	50	AFFIDAVIT OF SERVICE of Summons and Amended Complaint,,, Service was accepted by Isaiah Ross, Assistant of Authorized Agent for Corporation Service Company, Wyoming, authorized to accept service on behalf of Defendant Intermountain Electric Service, Inc.. Document filed by Trisura Insurance Company..(Cowling, Dennis) (Entered: 03/12/2024)

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